

REMARKS

The courtesy afforded applicant's representative by Examiner Ly at the interview on September 16 is acknowledged with thanks. At the interview, the differences between the applied references and the independent claims were discussed. Examiner Ly agreed that the \$102 reference (VALIMAA et al.) does not disclose the invention of claims 23 and 28-29.

Examiner Ly questioned the operability of the invention and noted that if one of the second set of keys were depressed after one of the first set of keys was depressed the telephone would jump to a condition in which a call could not be made. This is not correct. As shown in Figure 3, once one of the first set of keys has been depressed as in step S1 the system jumps to step S4, bypassing step S2 in which the function of the second set of keys is activated. That is, the system is no longer able to recognize the function of the second set of keys once one of the first set of keys has been operated.

Claim 24 has been amended to make an editorial change that relates solely to the form of the claim.

Claims 23 and 28-29 were rejected as anticipated by VALIMAA et al. 5,926,769. Reconsideration and withdrawal of the rejection are respectfully requested.

VALIMAA et al. do not disclose a method in which the step of changing from the call origination mode to an operating mode in which a call cannot be originated occurs when the

determined identity of the operated one of the plural numbered dialing keys is one of a first set of the plural numbered dialing keys and in which the step of changing from the call origination mode to an operating mode in which a call cannot be originated does not occur when the determined identity of the operated one of the plural numbered dialing keys is one of a second set of the plural numbered dialing keys that does not overlap the first set.

VALIMAA et al. disclose a method in which a lengthy depression of any key 22a, 22b causes the phone to go into an operating mode in which a call cannot be originated (Figure 3 and the related discussion at columns 3-4). Indeed, the lengthy depression of any key causes this reaction so that a user can call up a stored phone number or store a phone number. The reference does not disclose or suggest a second set of the plural numbered dialing keys that does not overlap the first set, wherein changing from the call origination mode to an operating mode in which a call cannot be originated does not occur when the determined identity of the operated one of the plural numbered dialing keys is one of the second set.

The Official Action addresses this limitation at page 3 using the same comments as the first set in which the change of mode does occur. This is inherently contradictory because the same set of keys cannot both change from the call origination mode to an operating mode in which a call cannot be originated and not change from the call origination mode to an operating

mode in which a call cannot be originated. VILIMAA et al. disclose that the decision whether to change the mode is based on the length of time the key is depressed, not on whether the depressed key is in a first or second set of keys.

Accordingly, claims 23 and 28-29 avoid the rejection under §102.

Claims 20-22 and 25-27 were rejected as unpatentable over VALIMAA et al. in view of JANG 5,280,516. Reconsideration and withdrawal of the rejection are respectfully requested.

The Official Action acknowledges that VALIMAA et al. do not disclose that the change from the call origination mode to an operating mode in which a call cannot be originated is made as soon as the unique identity of the operated one of the plural keys is determined, and relies on JANG for the suggestion to modify VALIMAA et al. to include this feature.

However, changing VALIMAA et al. to include this feature would make the system in VALIMAA et al. inoperative and unfit for its intended purpose. VALIMAA et al. rely solely on the length of time a key is depressed to determine whether to change from the call origination mode to an operating mode in which a call cannot be originated. If the key were depressed for a short period of time, the key would operate normally to select a number as part of the call origination mode. If, as suggested in the Official Action, VALIMAA et al. were modified so that depressing a key for a short period of time provoked a mode

change from the call origination mode to an operating mode in which a call cannot be originated, then it would not be possible to make a phone call at all. The phone would be hopelessly stuck in the mode in which a call cannot be originated. The phone in VALIMAA et al. must wait for the prescribed length of time and cannot be modified so that the change from the call origination mode to an operating mode in which a call cannot be originated is made "as soon as the unique identity of the operated one of the plural keys is determined." This would be recognized by one of skill in the art, who would not make the suggested combination. Accordingly, claims 20-22 and 25-27 avoid the rejection under §103.

Claims 22 and 27 are also distinguishable from the suggested combination because the references do not disclose or suggest a second set of the plural numbered dialing keys that does not overlap the first set, wherein changing from the call origination mode to an operating mode in which a call cannot be originated does not occur when the determined identity of the operated one of the plural numbered dialing keys is one of the second set. The reasons for the allowability are provided above in the discussion of claims 23 and 28-29.

The remaining claims are dependent and are allowable for the reasons given above for the respective independent claim.

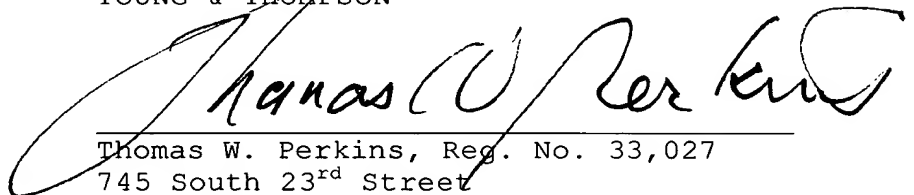
In view of the present amendment and the foregoing remarks, it is believed that the present application has been

placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. \$1.16 or under 37 C.F.R.\$1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, appearing to read "Thomas W. Perkins". The signature is written over a horizontal line.

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